

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL KNEITEL,

Plaintiff,

-v.-

Civil Action No.
9:05-cv-30 (GLS/RFT)

GLENN S. GOORD, RICHARD D. ROY,
ANTHONY J. ANNUCCI, DEBRA R. JOY,
BARBARA KING, MICHAEL T. MCHALE,
ANNE BYERWALTERS and GEORGE E.
PATAKI¹,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

MICHAEL KNEITEL
Plaintiff Pro Se
759 East 10th Street
Apt. 3C
Brooklyn, New York 11230

FOR THE DEFENDANTS:

HON. ANDREW M. CUOMO
Attorney General for the State of New York
Counsel for Defendants
The Capitol
Albany, New York 12224

JAMES SEAMAN
Assistant Attorney General

¹ George E. Pataki is a named Defendant in this action, however he has not been served with process.
See Dkt. No. 26.

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed January 15, 2008. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein. The plaintiff was granted (2) two extensions in which to file objections with the latter extending the deadline until June 15, 2008.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge Randolph F. Treece filed January 15, 2008 is ACCEPTED in its entirety for the reasons state therein, and it is further

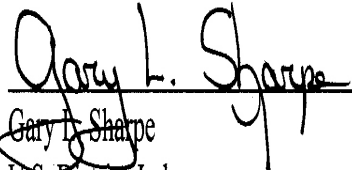
ORDERED, that Defendants' Motion to Dismiss (Dkt. No. 21) is GRANTED, and it is further

ORDERED, that Plaintiff's Complaint (Dkt. No. 1) is DISMISSED, and it is further

ORDERED, that the Clerk enter judgment in favor of the defendants against the plaintiff.

IT IS SO ORDERED

Dated: June 18, 2008
Albany, New York



Gary L. Sharpe
U.S. District Judge